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Genworth Life and Annuity Insurance Company

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GENWORTH LIFE AND ANNUITY
INSURANCE COMPANY, a Delaware
corporation,

Plaintiff,

vs.

JACLYN R. HAFTER, an individual; J.H., a
minor; G.H., a minor; BRANDON PHILLIPS,
as Trustee of the Jacob Hafter Trust dated April
17, 2018, and THE UNITED STATES OF
AMERICA, acting through the Internal Revenue
Service, and DOES 1-5.,

Defendants.

CASE NO.: 2:18-CV-02161-JAD-PAL

**STIPULATION AND ORDER TO
AMEND THE ORDER OF DISCHARGE
IN INTERPLEADER, DISMISSAL
WITH PREJUDICE OF GENWORTH
LIFE AND ANNUITY INSURANCE
COMPANY, AND CONSOLIDATION
[ECF 31]**

ECF No. 36

Plaintiff Genworth Life and Annuity Insurance Company ("Genworth"), as the
successor in interest to First Colony Life Insurance and Defendants Jaclyn R. Hafter, J.H., G.H.,
Brandon Phillips as Trustee of the Jacob Hafter Trust dated April 17, 2018, and the United States
of America ("Defendants") hereby submit the following Stipulation and Order to Amend the
Order of Discharge in Interpleader, Dismissal with Prejudice of Genworth Life and Annuity
Insurance Company, and Consolidation ("Stipulation and Order to Amend") in connection with
the above-captioned action.

1. On March 1, 2019, Genworth filed the Stipulation and Order of Discharge in
Interpleader, Dismissal with Prejudice of Genworth Life and Annuity Insurance Company, and
Consolidation. (ECF 30).

1 2. On March 11, 2019, the Court issued an Order of Discharge in Interpleader,
2 Dismissal with Prejudice of Genworth Life and Annuity Insurance Company, and Consolidation
3 (“March 11, 2019 Order”) requiring Genworth to deposit \$240,000.00 (the Death Benefit minus
4 Genworth’s \$10,000 in fees and costs incurred in this action) with the Clerk of Court for deposit
5 into the Court Registry Investment System. (ECF 31).

6 3. Since entry of the Court’s March 11, 2019 Order, Genworth has learned that the
7 Death Benefit of \$250,000.00 has accrued interest in the amount \$5,556.16.

8 4. Accordingly, Genworth seeks to amend the March 11, 2019 Order to allow the
9 deposit of \$245,556.16 by March 28, 2019. This amount represents the Death Benefit inclusive of
10 accrued interest and less \$10,000.00 in Genworth’s attorneys’ fees and costs.

11 5. The parties agree and stipulate that the Court shall enter an order amending the
12 March 11, 2019 Order to permit Genworth to deposit \$245,556.16 to the Clerk of this Court for
13 deposit into the Court’s Registry Investment System.

14 6. The parties agree and stipulate that this Stipulation and Order to Amend does not

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1 seek to amend or change any other ruling of the Court's March 11, 2019 Order.

2 Dated this 19th day of March, 2019.

3 LEWIS ROCA ROTHGERBER CHRISTIE LLP SOLOMON DWIGGINS & FREER,
4 LTD.

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14 U.S. DEPARTMENT OF JUSTICE

CARY COLT PAYNE, CHTD

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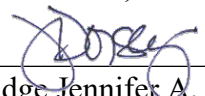
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24 **ORDER**

25 Based on the parties' stipulation [ECF No. 36] and good cause appearing, IT IS HEREBY
26 ORDERED that the court's **order dated 3/11/19 [ECF No. 31] directing Genworth to deposit**
27 **\$240,000 is hereby amended to state that the deposit should instead be in the amount of**
28 **\$245,556.16** (which represents \$250,000 + accrued interest of \$5,556.16 - \$10,000 in Genworth's
fees and costs).


U.S. District Judge Jennifer A. Dorsey
Dated: March 23, 2019